

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PCT-2005-633	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2005/014282	International filing date (<i>day/month/year</i>) 04 August 2005 (04.08.2005)	Priority date (<i>day/month/year</i>) 31 January 2005 (31.01.2005)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant MATSUSHITA ELECTRIC WORKS, LTD.			

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 6 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 31 July 2007 (31.07.2007)</p> <hr/> <p>Authorized officer</p> <p style="text-align: center; font-weight: bold;">Masashi Honda</p> <p>e-mail: pt08.pct@wipo.int</p>
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特許協力条約

発信人 日本国特許庁（国際調査機関）

REC'D 15 SEP 2005

WIPO

PCT

代理人

板谷 康夫

様

あて名

〒542-0081

日本国大阪府大阪市中央区南船場3丁目9番10号
徳島ビル7階

PCT

国際調査機関の見解書

(法施行規則第40条の2)

[PCT規則43の2.1]

発送日

(日.月.年)

13. 9. 2005

出願人又は代理人

の書類記号

PCT-2005-633

今後の手続きについては、下記2を参照すること。

国際出願番号

PCT/J P 2005/014282

国際出願日

(日.月.年) 04. 08. 2005

優先日

(日.月.年) 31. 01. 2005

国際特許分類 (IPC) Int.Cl.⁷ G02B6/42, H01L31/0232, 33/00, H01R13/46, 31/06

出願人 (氏名又は名称)

松下電工株式会社

1. この見解書は次の内容を含む。

☒ 第I欄 見解の基礎

☐ 第II欄 優先権

☒ 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成

☐ 第IV欄 発明の単一性の欠如

☒ 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明

☐ 第VI欄 ある種の引用文献

☐ 第VII欄 国際出願の不備

☒ 第VIII欄 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日

30. 08. 2005

名称及びあて先

日本国特許庁 (ISA/J P)

郵便番号100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

高 芳徳

2 X

3 6 0 7

電話番号 03-3581-1101 内線 3294

様式PCT/ISA/237 (表紙) (2004年1月)

第 I 欄 見解の基礎

1. この見解書は、下記に示す場合を除くほか、国際出願の言語を基礎として作成された。
- ☐ この見解書は、_____語による翻訳文を基礎として作成した。
それは国際調査のために提出された PCT 規則 12.3 及び 23.1(b) にいう翻訳文の言語である。
2. この国際出願で開示されかつ請求の範囲に係る発明に不可欠なヌクレオチド又はアミノ酸配列に関して、以下に基づき見解書を作成した。
- a. タイプ ☐ 配列表
☐ 配列表に関連するテーブル
- b. フォーマット ☐ 書面
☐ コンピュータ読み取り可能な形式
- c. 提出時期 ☐ 出願時の国際出願に含まれる
☐ この国際出願と共にコンピュータ読み取り可能な形式により提出された
☐ 出願後に、調査のために、この国際調査機関に提出された
3. ☐ さらに、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列が出願時に提出した配列と同一である旨、又は、出願時の開示を超える事項を含まない旨の陳述書の提出があった。
4. 補足意見：

第Ⅲ欄 新規性、進歩性又は産業上の利用可能性についての見解の作成

次に関して、当該請求の範囲に記載されている発明の新規性、進歩性又は産業上の利用可能性につき、次の理由により審査しない。

☐ 国際出願全体

☒ 請求の範囲 10

理由：

☐ この国際出願又は請求の範囲 は、国際予備審査をすることを要しない次の事項を内容としている（具体的に記載すること）。

☒ 明細書、請求の範囲若しくは図面（次に示す部分）又は請求の範囲 10 の記載が不明確であるため、見解を示すことができない（具体的に記載すること）。

請求の範囲 10 には「前記凸係合部」との記載があるが、請求の範囲 10 が引用する、請求の範囲 1, 9 には上記事項が記載されていないため、PCT 第 6 条における明確性の要件を欠く。

☐ 全部の請求の範囲又は請求の範囲 が、明細書による十分な裏付けを欠くため、見解を示すことができない。

☐ 請求の範囲 について、国際調査報告が作成されていない。

☐ ヌクレオチド又はアミノ酸の配列表が、実施細則の附属書 C（塩基配列又はアミノ酸配列を含む明細書等の作成のためのガイドライン）に定める基準を、次の点で満たしていない。

書面による配列表が

☐ 提出されていない。

☐ 所定の基準を満たしていない。

コンピュータ読み取り可能な形式による配列表が

☐ 提出されていない。

☐ 所定の基準を満たしていない。

☐ コンピュータ読み取り可能な形式によるヌクレオチド又はアミノ酸の配列表に関連するテーブルが、実施細則の附属書 C の 2 に定める技術的な要件を、次の点で満たしていない。

☐ 提出されていない。

☐ 所定の技術的な要件を満たしていない。

☐ 詳細については補充欄を参照すること。

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求の範囲	1-9, 11	有
	請求の範囲		無
進歩性 (IS)	請求の範囲	4-8, 11	有
	請求の範囲	1-3, 9	無
産業上の利用可能性 (IA)	請求の範囲	1-9, 11	有
	請求の範囲		無

2. 文献及び説明

文献1 : KR 2004-110660 A (OPTICIS CO. LTD.)
2004. 12. 31, 全文, 第2-3図

文献2 : JP 2004-12624 A (株式会社フジクラ)

2004. 01. 15, 段落【0012】—【0015】, 第1-4図

請求の範囲1-3, 9に係る発明は、国際調査報告で引用された文献1, 2により新規性、進歩性を有しない。

文献1の第2-3図には、第1のホルダー(110)と第2のホルダー(120)をシャフト(151)により接合させ、両者にブラケット(130)を上方から嵌合した発明が開示されている。また(130)からは、(110)及び(120)の対向方向と垂直な方向への(130)の移動を規制する2つの弾性片が立設している。文献2の【0012】—【0015】及び第1-4図には、側面(17)にV溝(12)を設けた2つの光フェルール(11)を、板ばねクランプ(13)により下方から嵌合した発明が開示されている。

文献1に記載された(130)を、文献2を参考にして、(110)及び(120)に対し、下方から嵌合して請求の範囲1に係る発明とすることは当業者にとって容易である。

文献1に記載された(120)の、(110)及び(120)の対向方向と平行な面(以下、両側面と呼ぶ。)に当接する該弾性片に加えて、(110)の両側面に当接する2つの弾性片を新たに設けることは、(130)に格段に優れた作用機能をもたらすものでなく、設計事項に過ぎない。なおかつ、その際に(110)及び(120)の両側面に、文献2の第4図を参考にしてV溝を設け、更に、(110)及び(120)を(130)の板へ向けて付勢させるために、該弾性片の先端近傍をV溝の内側に折曲げた上で、請求の範囲2, 3に係る発明とすることは当業者にとって容易である。

文献1と文献2より請求項9に係る発明とすることは、当業者にとって容易である。

請求の範囲4-8, 11に係る発明は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明な事項でもない。

第Ⅷ欄 国際出願に対する意見

請求の範囲、明細書及び図面の明瞭性又は請求の範囲の明細書による十分な裏付についての意見を次に示す。

請求の範囲10には「前記凸係合部」との記載があるが、請求の範囲10が引用する、請求の範囲1, 9には上記事項が記載されていないため、PCT第6条における明確性の要件を欠く。

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PCT-2005-633	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2005/014282	International filing date (<i>day/month/year</i>) 04 August 2005 (04.08.2005)	Priority date (<i>day/month/year</i>) 31 January 2005 (31.01.2005)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant MATSUSHITA ELECTRIC WORKS, LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input checked="" type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 31 July 2007 (31.07.2007) Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div> e-mail: pt08.pct@wipo.int
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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

PCT-2005-633

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/014282

International filing date (day/month/year)

04.08.2005

Priority date (day/month/year)

31.01.2005

International Patent Classification (IPC) or both national classification and IPC

Applicant

MATSUSHITA ELECTRIC WORKS, LTD.

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input checked="" type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/014282

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/014282

Box No. III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 10

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 10
are so unclear that no meaningful opinion could be formed (*specify*):

Claim 10 states "said engagement projections," but since claims 1 and 9 quoted by claim 10 do not state the said matter, claim 10 does not satisfy the requirement of clarity in PCT Article 6.

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/014282

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-9, 11</u>	YES
	Claims	<u> </u>	NO
Inventive step (IS)	Claims	<u>4-8, 11</u>	YES
	Claims	<u>1-3, 9</u>	NO
Industrial applicability (IA)	Claims	<u>1-9, 11</u>	YES
	Claims	<u> </u>	NO

2. Citations and explanations:

Document 1: KR, 2004-110660, A (Opticis Co., Ltd.), 31 December, 2004 (31.12.04), full text, Figs. 2 and 3

Document 2: JP, 2004-12624, A (Fujikura Ltd.), 15 January, 2004 (15.01.04), paragraphs [0012]-[0015], Figs. 1-4

The subject matters of claims 1-3 and 9 do not appear to be novel or to involve an inventive step in view of documents 1 and 2 cited in the ISR.

Document 1 (Figs. 2 and 3) discloses an invention in which (a) a first holder (110) and a second holder (120) are joined by a shaft (151) and (b) a bracket (130) is fitted on them from above. Further, two elastic pieces for regulating the movement of the bracket (130) in the direction perpendicular to the direction in which the holders (110) and (120) oppose each other are erected from the bracket (130). Document 2 ([0012]-[0015] and Figs. 1-4) discloses an invention in which a plate spring clamp (13) is fitted on two optical ferrules (11) with V grooves (12) formed on their lateral sides (17), from below.

A person skilled in the art could have easily fitted the bracket (130) on the holders (110) and (120) from below with reference to document 2, to arrive at the subject matter of claim 1.

In addition to the said elastic pieces kept in contact with the surfaces of the second holder (120) in parallel to the direction in which the holders (110) and (120) oppose each other (hereinafter called "both the lateral surfaces") described in document 1, two elastic pieces are newly kept in contact with both the lateral surfaces of the first holder (110) in the present application. This addition does not give an especially excellent action or function to the bracket (130), and is a mere matter of design variation. Further, a person skilled in the art could have easily (a) formed V grooves on both the lateral surfaces of the holders (110) and (120) with reference to document 2 (Fig. 4) and (b) bent the portions near the tips of the said elastic pieces inward in the V grooves for forcing the holders (110) and (120) toward the plate of the bracket (130), to arrive at the subject matters of claims 2 and 3.

A person skilled in the art could have easily arrived at the subject matter of claim 9 from documents 1 and 2.

The subject matters of claims 4-8 and 11 are neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/014282

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 10 states "said engagement projections," but since claims 1 and 9 quoted by claim 10 do not state the said matter, claim 10 does not satisfy the requirement of clarity in PCT Article 6.